

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

B.N.T.,)	
)	
Plaintiff,)	
)	
vs.)	CAUSE NO. 1:09-cv-0771-WTL-DML
)	
BRIAN HINDSON, CENTRAL INDIANA)	
AQUATICS, US SWIMMING,)	
INDIANA SWIMMING,)	
WESTFIELD- WASHINGTON SCHOOL)	
CORPORATION, KOKOMO-CENTER)	
TOWNSHIP CONSOLIDATED)	
SCHOOLS, and NOBLESVILLE SCHOOL)	
CORPORATION,)	
)	
Defendants.)	

**UNITED STATES SWIMMING, INC.'S
PRELIMINARY WITNESS AND EXHIBIT LIST**

Defendant, United States Swimming, Inc.,¹ pursuant to the Case Management Plan, submits its preliminary list of individuals who may be called as witnesses and preliminary list of exhibits that may be offered in this matter.

Preliminary Witness List

1. B.N.T.
2. Brian Hindson
3. Representative of United Swimming, Inc.
4. Representative of Indiana Swimming, Inc.
5. Any and all of B.N.T.'s healthcare providers
6. Representative of Carmel Clay Parks and Recreation

¹ On November 24, 2009, Indiana Swimming, Inc. was dismissed pursuant to Fed.R.Civ.P. 4(a).

7. Special Agent Odom, Federal Bureau of Investigation, Indianapolis
8. All witnesses identified by Plaintiff or any other Defendant as a potential witness.
9. Any additional witnesses identified in the course of discovery in this matter which is continuing.
10. Any witness necessary for purposes of impeachment, authentication, or rebuttal.

Defendant United States Swimming, Inc. reserves the right to supplement its Preliminary Witness List.

Preliminary Exhibit List

United States Swimming, Inc. identifies the following categories of documents, data compilations and tangible things that may be offered:

1. United States Swimming, Inc. Bylaws.
2. Indiana Swimming, Inc. Bylaws.
3. Any and all medical records of Plaintiff including, but not limited to, medical reports and notes, laboratory reports, notes, correspondence, progress notes, prescription records, and medical bills.
4. Any and all documents related to Plaintiff's damages, including, but not limited to, medical bills, invoices, collection notices, receipts, and statements.
5. B.N.T.'s employment records.
6. B.N.T.'s membership records for United States Swimming, Inc.
7. Any and all documents identified by Plaintiff or any other Defendant as a potential document, and any additional documents identified in the course of discovery in this matter which is ongoing.

Defendant United States Swimming, Inc. reserves the right to supplement its Preliminary Exhibit List.

Respectfully submitted,

/s/ Bernard L. Pylitt

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*Attorney for Defendants United States Swimming,
Inc. and Indiana Swimming, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of November, 2009, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Jonathan C. Little <i>Attorney for Plaintiff</i>	jonlittlaw@gmail.com
Thomas E. Wheeler, II FROST BROWN TODD, LLC <i>Attorney for Defendants Westfield Washington Schools, Kokomo-Center Township Consolidated Schools and Noblesville Schools</i>	twheeler@fbtlaw.com
Bernard L. Pylitt KATZ & KORIN, PC <i>Attorney for Defendants USA Swimming and Indiana Swimming</i>	bpylitt@katzkorin.com
James Curran Law Offices of James Curran <i>Attorney for Plaintiff</i>	jimcurrantriallaw@yahoo.com

I hereby certify that on the 25th day of November, 2009, a copy of the foregoing was mailed, by first class, United States mail, postage prepaid and properly addressed to the following:

Brian D. Hindson
FCI Marianna Correctional Institution
P.O. Box 7007
Marianna, FL 32447

/s/ Bernard L. Pylitt

Bernard L. Pylitt